

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**USDC SDNY
DOCUMENT
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DATE FILED: 4/24/14**

SABRINA PENCEAL, SHIREEF JONES,
KRISTY WALDRIP, CRYSTAL DRAHEIM,
ANDREA DURUISSEAU, LEANDRIA
GORDON, MARCUS HAYES, SHALINDA
MALONE, TARA MATHEWS, SHARI
MCFADDEN, DEDRA MEANS, JATERIA
WALKER, NIKITA PIERCE, and LATACHA
STALLARD, Individually and on behalf of others
similarly situated,

Plaintiffs,

v.

EMPIRE BEAUTY SCHOOL INC., EEG INC.,
EEG LLC, CHIC SCHOOLS, INC., EMPIRE
EDUCATION GROUP, INC., FRANK
SCHOENEMAN, MICHAEL D. BOUMAN,
REGIS CORPORATION, and "John Doe Entities",
name fictitious, name and number unknown, all
conducting business as the Empire Education
Group,

Defendants.

Case No.: 13-CV-7572 (WHP)

STIPULATION

STIPULATION

Plaintiffs Sabrina Penceal, Shireef Jones, Kristy Waldrip, Crystal Draheim, Andrea Duruisseau, Leandria Gordon, Marcus Hayes, Shalinda Malone, Tara Mathews, Shari Mcfadden, Dedra Means, Jateria Walker, Nikita Pierce, and Latacha Stallard ("Named Plaintiffs"), individually and on behalf of others similarly situated ("Plaintiffs"), and Defendants Empire Beauty Schools, Inc., EEG Inc., EEG LLC, Chic Schools, Inc., Empire Education Group, Inc., Frank Schoeneman, Michael D. Bouman, and Regis Corporation ("Defendants") (Plaintiffs and Defendants, collectively referred to as the "Parties"), through their undersigned counsel of record, agree and stipulate as follows:

1. The following state law claims are dismissed without prejudice as of May 5, 2014, unless Plaintiffs' Amended Complaint filed on May 5, 2014 includes lead class representatives for any of the below referenced states:

- (a) Arizona
- (b) Florida
- (c) Georgia
- (d) Illinois
- (e) Indiana
- (f) Maine
- (g) Maryland
- (h) Massachusetts
- (i) Minnesota
- (j) New Jersey
- (k) North Carolina
- (l) Ohio
- (m) Rhode Island
- (n) Tennessee
- (o) Virginia

2. The Parties will refrain from filing both summary judgment and class/collective certification motions until after the July 11, 2014 case management conference.

3. Defendants agree to toll the statute of limitations for Plaintiffs' and putative class members' FLSA claims from October 25, 2013 (the filing date of the original Complaint) until Plaintiffs file their motion for FLSA conditional certification.

4. The Defendants will exchange initial disclosures pursuant to Fed. R. Civ. P. 26(a) within 14 days after entry of the case management order. Plaintiffs exchanged initial disclosures on March 12, 2014.

SO STIPULATED.

BY:

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Attorneys for Plaintiffs

BY:



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New York, NY 10036-4086

Attorneys for Defendants

4. The Defendants will exchange initial disclosures pursuant to Fed. R. Civ. P. 26(a) within 14 days after entry of the case management order. Plaintiffs exchanged initial disclosures on March 12, 2014.

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Attorneys for Plaintiffs

BY: _____

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Attorneys for Defendants

PROPOSED ORDER

AND NOW, this 27th day of April, 2014, upon consideration of the Parties' Stipulation, it is hereby **ORDERED** and **DECREED** that case management plan as set forth in the Parties' Stipulation is **ADOPTED**.

IT IS SO ORDERED.

BY THE COURT:


Honorable William H. Pauley, III
United States District Judge *gn*